

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
WASTE CONTROL INCORP.

US EPA RECORDS CENTER REGION 5



557232

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
00395	06/13/68	WHIRLP	WACOIN	WHIRLP PURCHASE ORDER	A CONTRACT BETWEEN WHIRLP AND WACOIN. WACOIN IS CONTRACTED FROM 07/68 TO 06/70 FOR ENCLOSED CONTAINER WASTE REMOVAL SERVICES FROM WHIRLP, ST. PAUL DIVISION.	WHIRLP, WACOIN
00630	10/15/71	J. CREA	DON NYGAARD	HANDWRITTEN LETTER REGARDING WHIRLP REFUSE	A HANDWRITTEN LETTER REGARDING WHIRLP REFUSE QUESTIONED IN A LETTER DATED 10/13/71. MR. CREA SAID HE HAD NO PROBLEM WITH WHIRLP WASTE, JUST THAT HE DOES NOT WANT TO ACCEPT CLOSED DRUMS OR DRUMS WITH OIL IN THEM BECAUSE, A DRUM FILLED WITH PAINT THINNER EXPLODED AND ALMOST INJURED AN EMPLOYEE. THE LETTER STATES MCKBRO, WACOIN, CASANO, AND POORI WERE TOLD ABOUT DISCONTINUING THE DUMPING OF CLOSED DRUMS.	MCKBRO, WACOIN, CASANO, POORRI
00750	05/23/72	VIRGIL L. HILLSTROM AND FRANK VANYO, WHIRLP	DISPOS, CASANO, WACOIN, HAWASY, REDARW	LETTER TO HAULERS	A LETTER TO WASTE DISPOSAL SERVICES REGARDING A BID FOR A CONTRACT WITH WHIRLP FROM 07/01/72 TO 06/30/73. THE DOCUMENT LISTS THE TYPE OF EQUIPMENT AND CONDITIONS OF THE CONTRACT. THE DOCUMENT STATES THE CONTRACTOR WILL NEED ONE 55 GALLON DRUM CONTAINER FOR PORCELAIN SLUDGE PAINT MATERIAL TO BE PICKED UP TWICE A MONTH.	WHIRLP, DISPOS, CASANO, WACOIN, HAWASY, REDARW
01099	06/00/86			STATEMENT OF DONALD E. GRAMSE	A STATEMENT OF E. GRAMSE, WHO IS A DRIVER FOR WACOIN AND RESPONSE TO QUESTIONS ASKED BY REPRESENTATIVES OF MPCA. THE DOCUMENT STATES HE HAULED SEMI-SOLIDS FROM FORDMC AND THE WASTE WAS DUMPED IN THE SAME	FORDMC, INDSTE, WACOIN

PIG'S EYE LANDFILL  
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DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
					MANNER AS COMMERCIAL RUBBISH AT THE WDE LANDFILL. THE DOCUMENT STATES HE HAULED INDSTE SLUDGES TO PIG' EYE.	
01919	01/09/91	MPCA	WACOIN	MPCA INFORMATION REQUEST LETTER REGARDING PIG'S EYE	A MPCA INFORMATION REQUEST LETTER WHICH REQUIRES WACOIN TO PROVIDE INFORMATION REGARDING PIG'S EYE AND FISH HATCHERY'S DUMP.	WACOIN
02095	03/26/91	CATHY O'CONNELL, MPCA	WACOIN	MPCA FOLLOWUP LETTER	A FOLLOW-UP LETTER TO WACOIN REQUESTING WACOIN COMPLY WITH MINNESOTA ENVIRONMENTAL RESPONSE AND LIABILITY ACT AND RESPOND TO MPCA'S REQUEST FOR INFORMATION QUESTIONNAIRE CONCERNING PIG'S EYE.	WACOIN
02223				NOTES ON PIG'S EYE WASTES/CONTAMINANT SOURCE CATAGORIES	NOTES ON INFORMATION REQUESTS, CONCERNING THE CONTAMINANTS ORIGINATING FROM THE FOLLOWING: MWCC, COSTPA, 3M, WHIRLP, CMSPRC, FORDMC, WACOIN, MCKBRO, CASANO, POORRI. ALSO INCLUDED IS A LIST OF POSSIBLE SOURCE CATEGORIES FOR CONTAMINANTS AT PIGS EYE. THE NOTES ARE NOT DATED THE AUTHOR IS NOT INDICATED.	WHIRLP, COSTPA, 3M, CASANO, MCKBRO, WACOIN, POORRI
02387	07/27/73	C.J. STOFKO, FORDMC	JOHN C. LICHTER, MPCA	FORDMC, MPCA CORRESPONDENCE	A LETTER WHICH STATES WACOIN HAULS WASTE FOR FORDMC UNDER PERMIT NO. SW28, THE MATERIAL HAULED IS AS FOLLOWS: 58,000 GALLONS OF PAINT SLUDGE/YEAR; 1330-55 GALLON DRUMS OF	FORDMC, WACOIN, TWCWDS

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02/27/95

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
WASTE CONTROL INCORP.

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
					WASTE GREASE, OILS, SOLVENTS PER YEAR. THE DOCUMENT ALSO INCLUDES A LETTER DATED 02/11/91 IN WHICH FORDMC REQUESTS DISCLOSURE INFORMATION FROM MPCA; A COPY OF MPCA'S REQUEST LETTER. THE RESPONSE STATES TO FORDMC'S KNOWLEDGE IT HAS NEVER DIRECTED WASTE TO PIG'S EYE; HOWEVER, THEIR CURRENT HAULER WACOIN WAS FORMERLY TWCWDS, AND A FORMER EMPLOYEE STATES PIG'S EYE MAY HAVE BEEN USED IN THE EARLY 60S.	



# Whirlpool

## PURCHASE ORDER

C O R P O R A T I O N

ST. PAUL DIVISION

850 ARCADE STREET

ST. PAUL, MINNESOTA

55106

IMPOI

00395

OUR ORDER No. 87672 - 52  
MUST APPEAR ON ALL INVOICES, SHIPPING  
NOTICES, CASES OR PACKAGES COVERED BY  
THIS PURCHASE ORDER.

To: **Waste Control Incorporated**  
**637 Pine Street**  
**St. Paul, Minnesota 55101**

SHIP TO: WHIRLPOOL CORPORATION - ST. PAUL DIV.  
ST. PAUL, MINN. UNLESS OTHERWISE SPECIFIED BELOW.

G. L. Loman

DATE <b>6-13-68</b>	SHIP TO ARRIVE <b>7-15-68</b>	DEPT. <b>Plant Eng.</b>	F.O.B. <b>Delivered</b>	TERMS: <b>Net 30 DA.</b>
REQUISITION NO. <b>E. W. Hartung</b>	JOB ORDER NO.	ACCOUNT NO. <b>31-3576 &amp; 32-5325</b>		CODE
ITEM NO.	QUANTITY	DESCRIPTION OF MATERIAL		UNIT PRICE
		<b>24 month contract from July 1968 thru June 1970 for the enclosed containerized waste removal services from Whirlpool Corporation, St. Paul Division.</b>		
		<b>1. 4-40 cu. yd. enclosed containers with end gates and attachment fittings compatible with EZ-Pack 3FPLI Fixed packers are to be furnished.</b>		
		<b>2. 3-Packer locations are to be serviced as follows:</b>		
		<b>A. Bldg. 17, North Side.</b>		
		<b>B. Bldg. 21, South Side</b>		
		<b>C. Bldg. 11, East Side</b>		
		<b>3. The following Conditions apply:</b>		
		<b>D. Four hours shall be maximum time between call &amp; pickup.</b>		
		<b>E. Pickup tickets must be signed by proper Whirlpool personnel at the time of each pick up and show location picked up, time, date, &amp; destination (Dump or Waldorf)</b>		
		<b>F. Invoices to be submitted monthly with duplicate signed pick up tickets attached, dumping charges are to be listed separately for those loads that went to the dump.</b>		
		<b>CONTINUED ON PAGE TWO</b>		

LAST 1/2 1968 THRU FIRST 1/2 1970

REQUISITIONER'S COPY

From the desk of

JOSEPH CREA

10/15/71

To = Rex Nygaard

Subject = H. Kildred Corp. Papers

Re per your communication of

Oct. 13<sup>th</sup>. I am satisfied that the

materials mentioned pose no problem

for me, and the material I am

concerned with is the alcohol

containing paint thinner which

almost caused a burnt dog in

loss of operation at our last

This had began burning and

soon as our dogs tried to

the barrels away from the

it exploded and flames started

burning on the hydraulic

and undercarriage of dog

the exploding barrel blew up

into the air breaking one

glass and causing minor

JOSEPH CREA

our operator Ed. Lindstrom.  
Luckily, the fire dept. was  
alongside him and was able  
draw the flames.

I then asked all haulers  
of drums to discontinue delivery  
of any closed drums or drums  
with oil in them.

This included Waste Control  
McKnight, and Casanova Bros.  
and Poor Richards.

This for your information  
J. Crea

**Whirlpool**  
CORPORATION

St. Paul Division

850 ARCADE STREET ST. PAUL, MINNESOTA 55106

May 23, 1972

Disposal Systems, Inc.  
915 North Albert Street  
St. Paul, Minnesota 55104

Red Arrow Waste Disposal Serv.  
41 East Chicago Avenue  
St. Paul, Minnesota 55107

Casanova Bros. Trucking  
158 East Sidney  
St. Paul, Minnesota 55107

Haul-A-Way Systems, Inc.  
344 Larch Street  
St. Paul, Minnesota 55117

Waste Control, Inc.  
637 Pine Street  
St. Paul, Minnesota 55101

Gentlemen:

Sealed bids for the open and closed rubbish and cardboard containers removal will be received at Whirlpool Corp., St. Paul Division through June 15, 1972. This contract will be for a 12 month period beginning July 1, 1972, and ending June 30, 1973.

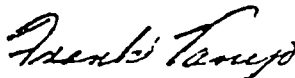
The following equipment and requirements shall be the conditions of this contract:

1. Open containers shall be 30 yard capacity. If this size is not available within your operation, specify size that would be furnished.
2. Closed containers shall be 40 yard capacity containers compatible with E-Z Pack Model 3FFL1. Fixed packers (3 cu. yd.) are required. Charging opening in end gate, method of attachment to packer, etc.
3. 4 containers shall be required for proper service. 3 containers in use at all times and 1 spare for use when changing containers. A truck of sufficient capacity to handle 30 cubic yard containers is also required.
4. 1 container will be used for 55 gallon drums of porcelain sludge paint materials and will be picked up on the average of twice per month.

5. The company awarded this contract must assume all liability and responsibility for their employees and equipment while on Whirlpool Corporation property.
6. All prime contractors or sub-contractors doing work in our plant on routine or normal small projects, in addition to mandatory workman's compensation insurance, must furnish "Certificates of Insurance" and have a minimum of \$300,000 per person and of \$500,000 per occurrence or accident of liability insurance, and a minimum of \$300,000 in property damage insurance.
7. A maximum time of 4 hours between a call for pickup of a container and pickup is required.
8. Pickup tickets with dates and unit picked up must be signed by a Whirlpool Corporation representative at the time of each pickup and the ticket must be left in the Salvage Department.
9. Invoices shall be submitted monthly, showing date and container picked up. Dumping charges to be separate from pickup charges.
10. Willful violation of any part of these conditions will void the contract at the discretion of Whirlpool Corporation, St. Paul Division.
11. Whirlpool Corporation, St. Paul Division, reserves the right to reject any and/or all bids.

Please include acceptance of contract conditions 1 through 11 as part of your written bid.

Yours truly,



Frank Vanyo *WLT*  
Supervisor  
Maintenance Department



Virgil L. Hillstrom  
General Foreman  
Maintenance Department



STATE OF MINNESOTA  
OFFICE OF THE ATTORNEY GENERAL  
POLLUTION CONTROL DIVISION  
1935 WEST COUNTY ROAD B-2  
ROSEVILLE, MINNESOTA 55113

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In the Matter of:

Waste Disposal Engineering Landfill,  
City of Andover, Anoka County, Minnesota  
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The Statement of DONALD E. GRAMSE, taken  
before Vicki G. Kasten, a Notary Public in and for the  
County of Koochiching, State of Minnesota, taken on the 9th  
day of June, 1986, at 1935 West County Road B-2, Roseville,  
Minnesota 55113, commencing at approximately 3:00 p.m.

01100

## APPEARANCES

DENNIS M. COYNE, SPECIAL ASSISTANT ATTORNEY GENERAL,  
Pollution Control Division, 1935 West County Road B-2,  
Roseville, Minnesota 55113, appeared for and on behalf of  
the Attorney General of the State of Minnesota.

STEVEN Z. KAPLAN, ESQUIRE, of the law firm of HART,  
BRUNER, O'BRIEN & THORNTON, 1221 Nicollet Mall, Suite 700,  
Minneapolis, Minnesota 55403, appeared for and on behalf of  
the Witness.

ROBERT E. FALSTAD, ASSISTANT COUNSEL, Sperry  
Corporation, Defense Products Group, Sperry Park, P. O. Box  
64525, St. Paul, Minnesota 55164-0525, appeared for and on  
behalf of SW-28 Group.

MICHAEL KLUTHO, LAW CLERK, appearing for JOHN  
ANDERSON, ESQUIRE, of the law firm of BASSFORD, HECKT,  
LOCKHART & MULLIN, P.A., 3550 Multifoods Tower,  
Minneapolis, Minnesota 55402, appeared for and on behalf of  
Onan.

ALSO PRESENT: Nancy N. Misra, Solid and Hazardous  
Waste Division, Minnesota Pollution Control Agency.

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## EXHIBITS

## GRAMSE STATEMENT EXHIBITS:

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2 - List of Companies                              Page 23

3 - Seniority List                                Page 28

1                    DONALD EMIL GRAMSE,  
2                    the Witness in the above-entitled  
3                    matter after having been first duly  
4                    sworn testifies as follows:

6                    EXAMINATION

7                    BY MR. COYNE:

8                    Q.        Would you state your full name for the record,  
9                    please.

10                  A.        Donald Emil Gramse.

11                  Q.        Mr. Gramse, I am Dennis Coyne and I represent  
12                  the State of Minnesota Pollution Control Agency and the  
13                  Attorney General's Office. We are investigating the Waste  
14                  Disposal Engineering Landfill located in Anoka County. In  
15                  the course of that investigation we have taken statements  
16                  from many witnesses, including now today your own. In the  
17                  course of the answers that you provide I would like you to  
18                  give an oral answer, one that can be heard, so that the  
19                  court reporter can take down your reply. In other words, a  
20                  nod of the head will not be able to be recorded, so if you  
21                  would always give a yes or a no or some other oral reply.  
22                  Will you try to do that today?

23                  A.        Sure.    Sure will.

24                  Q.        The other thing is if you don't understand a  
25                  question that I'm asking you, if you would say so and then

01103

1 I'll make an effort to make my question clear. Would you  
2 do that?

3 A. Sure.

4 Q. Mr. Gramse, you were served with a subpoena in  
5 this matter, were you not?

6 A. Yes.

7 Q. I'm showing you a copy of the subpoena and I'm  
8 asking you if you can recognize that? Is this a copy of  
9 the subpoena which was served?

10 A. I don't have this here.

11 Q. The third page of what will be marked as your  
12 Exhibit Number 1 is a copy completed by the sheriff's  
13 office showing the person on whom the subpoena was served  
14 and the date of the service.

15 A. Oh, yeah, the girlfriend -- girlfriend took it.  
16 I see her name here. Yes, sir.

17 MR. COYNE: I'd like this subpoena to  
18 be marked as Gramse Exhibit Number 1.

19 (At this time Gramse Statement Exhibit  
20 1 was marked for identification by the  
21 Court Reporter.)

22 MR. COYNE: Mr. Falstad, you have  
23 something you would like to say on the record?

24 MR. FALSTAD: Yes. I'd like to state  
25 that I'm an attorney representing the Sperry Corporation

1 which is one of the 12 parties that has entered into a  
2 consent order with the Minnesota Pollution Control Agency  
3 and Environmental Protection Agency. I'd like to state  
4 that I'm simply attending this statement. I'm not  
5 participating and will not be asking any questions.

6 MR. KLUTHO: Same here.

7 BY MR. COYNE:

8 Q. Mr. Gramse, the subpoena has your home as 711  
9 North Oak Drive in Vadnais Heights. Is that your home?

10 A. That's correct.

11 Q. The sheriff's service statement says that  
12 service was made on the 30th of May. Is that the  
13 approximate date of service?

14 A. I don't remember.

15 Q. After the service of the subpoena, did you  
16 speak with Ron Roth?

17 A. Just told him that when I got the subpoena  
18 that I'd like to have legal -- a guy come with me to, you  
19 know -- what's going on, you know; I don't understand it --  
20 and get some legal advice.

21 Q. And what did he tell you?

22 A. He just would get me a legal advice and go and  
23 answer the questions.

24 Q. And did he refer you to Mr. Thornton's office  
25 and to Mr. Kaplan?

1 A. Right.

2 Q. Did Mr. Roth offer to pay your legal fees then?

3 A. No.

4 MR. KAPLAN: Well, we'll object to any  
5 question dealing with payment of legal fees on the grounds  
6 it's irrelevant and privileged.

7 MR. COYNE: Was there an answer to the  
8 question that I asked the witness, the previous question?

9 (Whereupon the requested portion of the  
10 record was read by the Court Reporter.)

11 MR. KAPLAN: Well, I'll instruct the  
12 witness not to respond to the question for the grounds  
13 stated.

14 BY MR. COYNE:

15 Q. Mr. Gramse, there are occasions when a lawyer  
16 will object to a question and there are other occasions  
17 when he will not only object but will also direct the  
18 witness not to answer. The witness, of course, is free to  
19 answer or not and so in this situation, Mr. Kaplan has made  
20 an objection and directed you not to answer the question;  
21 however, you are free to answer the question or not. And  
22 so, in this situation, I'll ask a follow-up question which  
23 is: will you follow the advice of Counsel and not answer  
24 the question regarding payment of fees?

25 A. I'll just leave that up to my attorney.

1 Q. So you will follow his instruction?

2 A. Right.

3 Q. Now, in addition to speaking with Mr. Roth,  
4 did you speak to anyone else other than Mr. Thornton or Mr.  
5 Kaplan regarding your appearance here today?

6 A. No, sir.

7 Q. The subpoena, as you will note, Mr. Gramse,  
8 requires you to bring with you any documents that you may  
9 have and it details the kinds of documents that you should  
10 bring with you if you have them. And my question is  
11 whether you brought any documents with you today?

12 A. No, sir.

13 Q. Did you have any documents?

14 A. No, sir.

15 Q. Now, Mr. Gramse, you work for Waste Control  
16 today. Is that correct?

17 A. Yes.

18 Q. And their address is 95 Ivy Avenue West. Is  
19 that right?

20 A. Right.

21 Q. What kind of work do you do for Waste Control  
22 today?

23 A. I drive a -- what they call a Dino truck.  
24 It's a -- what do you call it -- just, you pick up these  
25 containers that go on a truck from various locations all



01107

1 the way around the Twin Cities. You know, you just get  
2 your paperwork in the morning and whatever company they  
3 give you, that's where you go, and take it to the landfill  
4 and take the box back to the company and go on to your next  
5 stop.

6 Q. The truck that you drive now is called a Dino  
7 truck or sometimes called a Dinosaur. Isn't that right?

8 A. Right.

9 Q. And is that a truck that compacts the waste?

10 A. No. No. That just hauls containers.

11 Q. Now, have you driven this Dino truck equipment  
12 for the last five years or so?

13 A. Yes, sir.

14 Q. Before that what sort of equipment did you  
15 drive?

16 A. I run a Dumpster.

17 Q. And the Dumpster has either a three to  
18 five-yard bucket, is that right, or an eight to ten-yard  
19 bucket?

20 A. Eight to ten-yard.

21 Q. So from time to time you'd carry a three to  
22 five-yard bucket and other times an eight to ten-yard  
23 bucket?

24 A. Yes, sir.

25 Q. When did you first begin to haul for Waste

1 Control or Berkman Iron and Scrap?

2 A. 1969 was when I started. I wasn't on Dumpster  
3 all the time. Once in awhile I'd work down in the junkyard  
4 and sort scrap for them and different things like that, and  
5 when somebody would call in sick, I'd go on a Dumpster now  
6 and then.

7 Q. So in 1969 you started work with Waste Control?

8 A. Waste Control.

9 Q. Now, prior to that time you had also worked  
10 with Berkman Iron and Scrap?

11 A. Berkman Iron and Metal, right.

12 Q. And what years was that?

13 A. I don't remember when they switched over from  
14 Berkman Iron to Waste Control. I believe when I come back  
15 in '69 was in with Waste Control. I don't remember if they  
16 still had the scrap yard going when I did come back in '69  
17 or not.

18 MR. COYNE: Let's just go off the  
19 record for a minute.

20 (At this time a discussion was held off the  
21 record.)

22 BY MR. COYNE:

23 Q. Mr. Gramse, while we've been off the record  
24 we've been summarizing your work experience and I'd like to  
25 go back then from the period from 1962 to 1967. What did

1 you do during that period?

2 A. From '62 to '67 I worked for Berkman Scrap  
3 Iron and Metal, at the Ford plant hauling cardboard to  
4 Waldorf Paper Company.

5 Q. And then what did you do from '62 to '67?

6 MR. KAPLAN: That was '62 to '67.

7 THE WITNESS: That was '62 to '67.

8 BY MR. COYNE:

9 Q. Sorry. '67 to '69?

10 A. I was self-employed.

11 Q. Now, what was the nature of the work that you  
12 did during that period while you were self-employed?

13 A. I run a truck for A & D Supergas for a little  
14 while and then I worked for Molin Concrete, and that was it.  
15 There was two places I did work off and on.

16 Q. When you started work for Berkman Iron and  
17 Scrap in 1962, was that your first job?

18 A. That was my first job, yes.

19 Q. And before 1962 had you been going to school?

20 A. Right.

21 Q. And did you graduate high school?

m111

22

23 Q. What was your last year completed?

24 A. 11th.

25 Q. I want to talk about the period from 1962 to

01110

1 1967. And during that period you've mentioned the Ford  
2 plant?

3 A. Um-hmm.

4 Q. That's a yes or no, if you can?

5 A. Yes.

6 Q. And you said that you hauled cardboard and  
7 scrap? Is that right?

8 A. Just cardboard.

9 Q. What kind of equipment did you use?

10 A. We had three Ford dump trucks. We loaded and  
11 hauled them to Waldorf.

12 Q. Did you go to any other account in addition to  
13 the Ford plant during that period?

14 A. No.

15 Q. Then beginning in 1967 you worked with Waste  
16 Control?

17 A. Waste Control.

18 Q. And what kind of equipment did you use during  
19 that period?

20 A. To start, I worked in the scrap yard for John  
21 Berkman and I'd go on a Dumpster truck when somebody would  
22 call in sick or something, to start out with, and haul a  
23 few loads a week here and there.

24 Q. And from time to time did you haul waste to  
25 the Waste Disposal Engineering Landfill in Anoka County?

01111

1 A. Yes, sir.

2 Q. Just to go back a minute. This period was  
3 from 1969, was it, to the present when you worked with  
4 Waste Control?

5 A. Yes, sir.

6 Q. Can you recall some of the accounts whose  
7 waste you did haul to the Waste Disposal Engineering  
8 Landfill in Anoka County?

9 A. Oh, Ford Motor Company and Onan. And then it  
10 was various construction material from accounts.

11 Q. Let's begin first with the Ford account. What  
12 was the nature of the waste that you picked up from the  
13 Ford account?

14 A. It was semi-solid material from their paint  
15 booths and things like that. It was just scrapings that  
16 they scraped off of their paint booth and stuff that they  
17 loaded into this container that was dumped up in the  
18 landfill.

19 Q. What kind of containers were used to contain  
20 these semi-solids?

21 A. It was solid container with a slanted back  
22 that sat on a -- on a truck so to make sure that if it  
23 rained or something nothing would leak out or nothing.

24 Q. Does this kind of a container have a name to  
25 it?

01112

1           A.     Just Dumpster.

2           Q.     Now, what was the capacity of the Dumpsters  
3 that were used?

4           A.     These out at the Ford plant was five yards.

5           Q.     Were you the only one who picked up Ford Motor  
6 waste?

7           A.     I don't know.

8           Q.     Approximately how often during a week would  
9 you pick up from the Ford Motor account?

10          A.     It ranged. Every week was different. It went  
11 on records and I have no way of knowing how much or how  
12 many times.

13          Q.     Were there weeks when you did not pick up at  
14 all from the Ford account?

15          A.     I believe so.

16          Q.     And were there also weeks where you would pick up  
17 more than once during the week?

18          A.     Yes.

19                   MR. COYNE:   Let's go off the  
20 record for a minute.

21                   (At this time a discussion was held off the  
22 record.)

23 BY MR. COYNE:

24          Q.     Mr. Gramse, while we've been off the record we  
25 have discussed the frequency of collection at the Ford

01113

1 plant with regard to these semi-solids that you have  
2 described. Is it a correct statement that some weeks you  
3 would pick up one five-yard Dumpster at the Ford plant?

4 A. Yes.

5 Q. And is it also true that other weeks you might  
6 not pick up anything at the Ford plant?

7 A. Yes.

8 Q. And is it also true that other weeks you would  
9 pick up more than one five-yard Dumpster of these  
10 semi-solids from the Ford plant?

11 A. Yes.

12 Q. The semi-solids that you have described were  
13 contained in this five-yard Dumpster. Is that correct?

14 A. Yes.

15 Q. How were they placed in the Dumpster?

16 A. It -- I don't know. When I went to the Ford  
17 plant it was already loaded and it would just come out in  
18 one big pile like a big pile of clay that was just a little  
19 soft but solid. It didn't run all over or nothing or that  
20 matter.

21 Q. So the semi-solids were loose in the five-yard  
22 Dumpster?

23 A. Not considered loose. It would come out in  
24 one big hunk like sticky clay or similar to that.

25 Q. Did the semi-solids have a smell?

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1 A. No, sir.

2 Q. Was there any color that they typically had?

3 A. No, sir.

4 Q. Now, these five-yard Dumpster loads of the  
5 semi-solids were taken to the Waste Disposal Engineering  
6 Landfill, were they?

7 A. Yes, sir.

8 Q. Describe what happened when you rolled in the  
9 WDE site in Anoka County, just step-by-step.

10 A. We'd pull through the gate, drive up to the  
11 window and sign your name and how many yards you had on and  
12 pull into the -- where they were dumping at the landfill  
13 site that day and dump your load and drive out.

14 Q. Were you directed to where to go to make the  
15 dump?

16 A. They directed us to the spot that they were  
17 dumping at that day.

18 Q. And who would give you those directions at the  
19 landfill?

20 A. Whoever was in the office window.

21 Q. Did you happen to know or know the name Red?

22 A. I know the name Red.

23 Q. Was there a fellow at the landfill who was  
24 referred to as Red?

25 A. Red, yeah. Yes.



01115

1 Q. Do you recognize the name Red St. Aoro?

2 A. No.

3 Q. Did this fellow who went by the name Red  
4 sometimes give you directions where to go?

5 A. Yes.

6 Q. Did he often give you the directions where to  
7 go?

8 A. No. It usually had office girl in the window.

9 Q. You know Ron Roth, don't you?

10 A. Yes.

11 Q. Did you sometimes see him at the landfill?

12 A. Yes.

13 Q. What did he do at the landfill on the  
14 occasions that you were there?

15 A. I have no idea. I just have seen him up there  
16 and we never talked, or very seldom have talked, if I did  
17 see him up there, unless he had some question to know where  
18 I was going next or what I had to do next.

19 Q. Did Ron Roth sometimes give you directions  
20 where to take your load?

21 A. Yes.

22 Q. In the same manner as Red would?

23 A. Yes.

24 Q. When you took your loads and dumped them you  
25 said that was in areas of landfill being worked that day?

01116

1 Is that right?

2 A. Yes.

3 Q. What kind of material was being dumped in the  
4 area where you were directed to dump?

5 A. It was commercial rubbish.

6 Q. Were you sometimes told to wait at the gate  
7 until other trucks were in a position or were you just  
8 directed to join other trucks that were dumping in the area?

9 A. You'd just drive in and wait your turn, wait  
10 to get up to the window to sign in and then just wait till  
11 they had room for you to back up next to the -- after they  
12 pushed it, the one that was left.

13 Q. Were other trucks dumping at the same time in  
14 the same area as you were dumping?

15 A. Yes.

16 Q. Was any special effort made to cover these  
17 semi-solids that you were bringing -- these semi-solids  
18 that you were taking into the landfill from Ford ahead of  
19 the wastes that were being deposited there by others?

20 A. No.

21 Q. So as far as you were concerned this waste  
22 that you were bringing in was just being landfilled like  
23 other commercial rubbish being dumped there?

24 A. Yes.

25 Q. Are you aware that there was an area at the

01117

1 landfill that was referred to as a hazardous waste pit?

2 A. Yes.

3 Q. And how did you learn about that?

4 A. Just when you drove in by the office you could  
5 see them putting these barrels, stacking these barrels into  
6 the pit at the right and I just asked a few questions what --  
7 what it was and they said that's where it was  
8 state-inspected for -- for liquid material, put in barrels.

9 Q. Were you ever directed to use the pit?

10 A. No.

11 Q. You mentioned that you saw Ron Roth from time  
12 to time at the WDE Landfill. Is that right?

13 A. Yes.

14 Q. Where did you first meet Mr. Roth?

15 A. When I worked for Waste Control and Joe  
16 Polansky sold him the business.

17 Q. Approximately what year would that be?

18 A. Possibly '71, '72.

19 Q. Is he the one who hired you to work for Waste  
20 Control when you went to work there in '69?

21 A. No.

22 Q. Who hired you then?

23 A. Joe Polansky. We just went along with the  
24 business.

25 Q. Referring to Mr. Roth?

01117

1 landfill that was referred to as a hazardous waste pit?

2 A. Yes.

3 Q. And how did you learn about that?

4 A. Just when you drove in by the office you could  
5 see them putting these barrels, stacking these barrels into  
6 the pit at the right and I just asked a few questions what --  
7 what it was and they said that's where it was  
8 state-inspected for -- for liquid material, put in barrels.

9 Q. Were you ever directed to use the pit?

10 A. No.

11 Q. You mentioned that you saw Ron Roth from time  
12 to time at the WDE Landfill. Is that right?

13 A. Yes.

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15 A. When I worked for Waste Control and Joe  
16 Polansky sold him the business.

17 Q. Approximately what year would that be?

18 A. Possibly '71, '72.

19 Q. Is he the one who hired you to work for Waste  
20 Control when you went to work there in '69?

21 A. No.

22 Q. Who hired you then?

23 A. Joe Polansky. We just went along with the  
24 business.

25 Q. Referring to Mr. Roth?

01118

1 A. Right.

2 Q. Approximately over the years that you hauled  
3 the Ford account and transported these buckets of  
4 semi-solids, approximately how many loads did you take to  
5 the WDE Landfill from the Ford account?

6 A. In how long of a stretch of time?

7 Q. Well, you can answer the question as best you  
8 can. If you want to take it a number of years or the whole  
9 period of years.

10 A. I just have no way of knowing how to come with  
11 an answer with that. There's just no way of telling. I  
12 just can't remember back that far and how many loads were  
13 hauled.

14 MR. COYNE: Let's go off the record for  
15 a minute.

16 (At this time a discussion was held off the  
17 record.)

18 BY MR. COYNE:

19 Q. While we've been off the record you and I have  
20 discussed the number of loads that you picked up from the  
21 Ford account and deposited at the Waste Disposal  
22 Engineering Landfill and you've supplied to me how it is  
23 that you're unable to estimate the number of loads. My  
24 question is would you summarize those reasons for the  
25 record?

01119

1           A.     Well, I worked in the scrap yard and then go  
2 out to the Ford plant just once in awhile when they called  
3 to haul a load. And then I'd go back to the scrap yard and  
4 sometimes they'd go once a week and sometimes they'd go  
5 once every two weeks or -- there's just no way of telling  
6 how many loads have been hauled.

7           Q.     In addition to the Ford account, you mentioned  
8 that you sometimes also hauled waste from the Onan Company  
9 to the Waste Disposal Engineering Landfill. Is that right?

10          A.     Yes.

11          Q.     Did you begin hauling this account sometime  
12 after 1969?

13          A.     I believe so.

14          Q.     And what was the nature of the waste that you  
15 hauled for the Onan account?

16          A.     It was the same contents as Ford, from their  
17 paint booths and material like that.

18          Q.     Did you also use five-yard Dumpsters?

19          A.     Three-yard Dumpster.

20          Q.     Would you describe for us typically what would  
21 happen when you went to pick up at the Onan account, who  
22 you saw, what directions you received and then what you did  
23 with the waste.

24          A.     You'd pull in the Onan account and I'd back up  
25 to the container and load it on the truck and go in the

01120

1 office and whoever was working in the office would sign a  
2 slip saying one Dumpster load of sludge, and you'd go back  
3 to your truck, and took it out to Andover Landfill.

4 Q. And by Andover Landfill you mean the Waste  
5 Disposal?

6 A. Waste Disposal Landfill.

7 Q. And what typically would happen then when  
8 you'd roll up to the gate at the WDE Landfill?

9 A. You'd sign in and they would direct you to  
10 where they were dumping that day, and dump your load and  
11 drive out.

12 Q. So you'd follow the same procedure for the  
13 Onan waste as you did for the Ford waste with regard to how  
14 you dumped it at the Waste Disposal Landfill?

15 A. Yes.

16 Q. Did you ever dump the sludge at the hazardous  
17 waste pit?

18 A. No.

19 Q. Can you estimate the number of three-yard  
20 Dumpsters from the Onan account that were taken to the WDE  
21 Landfill over the years?

22 A. No.

23 Q. And is that for the same reasons generally?

24 A. Same.

25 Q. As you just described with regard to the Ford

01121

1 account?

2 A. Yes.

3 Q. Over what time period did you sometimes haul  
4 the Onan account?

5 A. I really can't remember.

6 Q. Do you recall the last time that you hauled  
7 from the Onan account?

8 A. No.

9 Q. In an effort to assist witnesses in their  
10 efforts to recall the accounts that they picked up from  
11 over the years, we have prepared a list of companies. And  
12 what I'm going to ask you to do is to check off beside the  
13 name of the company those companies that you recall picking  
14 up wastes and then transporting the waste to the WDE  
15 Landfill in Anoka County. I'm going to ask the court  
16 reporter to mark this as the Gramse Statement Exhibit  
17 Number 2, and then we'll give it to you and you can review  
18 the list if you would, and check mark those names as I've  
19 indicated.

20 (At this time Gramse Statement Exhibit  
21 2 was marked for identification by the  
22 Court Reporter.)

23 THE WITNESS: I guess the Ford Motor  
24 Company and Forman Ford Paints. Industrial Steel Container.  
25 I have hauled that one? Onan Corporation. The Rausch



01122

1 Manufacturing. That's all I can remember.

2 BY MR. COYNE:

3 Q. On the exhibit would you read off those that  
4 you have check marked now as companies from which you have  
5 collected waste for transport to the WDE site?

6 A. Okay. The Ford paints.

7 Q. And by that you mean the Forman Ford Paints?

8 A. The Forman Ford Paints.

9 Q. You also picked up from the Ford Motor Company?

10 A. Well, that Forman Ford Paints, ain't that the  
11 same as Ford Motor Company? I thought the Forman Ford  
12 Paint would be the paint side by the Ford Motor Company.

13 Q. Let me ask you this. Do you recall the  
14 approximate location of the Ford plant where you made the  
15 pickup?

16 A. They had changed it around different times,  
17 never was in the same place. Sometimes it was in the  
18 building, and sometimes they had it out behind the building.

19 Q. Do you know where the plant, though, itself is  
20 located?

21 A. Right.

22 Q. And where is that?

23 A. To start with you'd come through the gate and  
24 it would be in the, I believe it was Number 5 or 6 door,  
25 you'd back into to pick it up. It's been there to start

01123

1 with. And then from there they'd be adding on and adding  
2 on and every time they added on they'd move it.

3 Q. Is this the Ford plant?

4 A. Ford plant.

5 Q. And the plant is located on the Ford Parkway?

6 A. Ford Parkway.

7 Q. In St. Paul?

8 A. St. Paul.

9 MR. COYNE: Let's just go off the  
10 record for a minute.

11 (At this time a discussion was held off the  
12 record.)

13 BY MR. COYNE:

14 Q. While we've been off the record we've talked  
15 about where it is that you picked up the sludges from the  
16 Ford account and you have advised me that the sludges were  
17 picked up where the Ford Motor Company makes trucks and  
18 cars alongside the Ford Parkway in St. Paul. Is that right?

19 A. Yes.

20 Q. Now, when you talked about the Ford account,  
21 you talked about the Dumpster loads. Do you recall that?

22 A. Yes.

23 Q. Did you ever pick up waste in pails from the  
24 Ford account?

25 A. No.

01124

1 Q. Or buckets?

2 A. No.

3 Q. Or 55-gallon drums?

4 A. No.

5 Q. Do you know if ever anybody else did?

6 A. No.

7 Q. In addition to the Ford account what other  
8 accounts have you check marked on your Statement Exhibit  
9 Number 2?

10 A. Industrial Steel Container, Onan Corporation,  
11 and Rausch Manufacturing.

12 Q. Let's turn our attention to Industrial Steel  
13 Container. What did you pick up from Industrial Steel  
14 Container?

15 A. It was three-yard Dumpster that we hauled to  
16 Pigs Eye Landfill.

17 Q. And what was in the three-yard Dumpsters that  
18 you --

19 A. It was the same material as Ford and Onan had.

20 Q. By that do you mean paint sludges?

21 A. Paint. It was paint sludges that they burnt  
22 off of barrels and stuff that went in the container.

23 Q. Did you ever transport these paint sludges to  
24 the WDE Landfill?

25 A. Industrial Steel has never went to that, no.

01125

1 Q. When you say that Industrial Steel never went  
2 to the WDE Landfill, is it correct that they would direct  
3 you where to take their paint sludges for disposal?

4 A. Yes.

5 Q. And they directed you to take it to Pigs Eye?

6 A. Pigs Eye.

7 MR. KAPLAN: Who is the they?

8 THE WITNESS: Ron Roth or whoever was  
9 in the office.

10 BY MR. COYNE:

11 Q. When you got your assignment, that is the  
12 location to pick up the wastes, were you at the same time  
13 given direction as to where to take the waste after you  
14 picked it up?

15 A. Yes.

16 Q. And would Ron Roth often be the one to give  
17 you assignments?

18 A. No.

19 Q. But he sometimes did so?

20 A. Sometimes he'd be in the office when the  
21 dispatcher didn't show up or something like this or had to  
22 go somewhere, then Ron would take over the calls.

23 Q. Over the years when you worked for Waste  
24 Control from 1969 to present, who has filled the position  
25 of dispatcher at the company?

01126

1 A. There has been many.

2 Q. Can you recall some of those names?

3 A. Oh, golly, no.

4 Q. Is the fellow who does it currently someone  
5 that you know and can identify for the record?

6 A. The person in the office now has only been  
7 there a few months.

8 Q. Before that do you know who was in the  
9 position of dispatcher?

10 A. I can't remember. Nobody has lasted long.  
11 It's just been a driver gets hurt, he goes in the office to --  
12 the person in the office right now was hurt on the job and  
13 he's dispatching and there has been a Lee Hart was hurt on  
14 the job and he was dispatching for awhile. And Dave  
15 Aspinol has dispatched, and a lot of them guys. I just  
16 can't remember every --

17 Q. I have a list which is a partial list of some  
18 Waste Control employees and I'd like the court reporter to  
19 mark this list as the Statement Exhibit Number 3, and then  
20 I'll hand it to you and ask you if you recognize some of  
21 the people whose name is on this list as taking on the  
22 dispatcher job from time to time.

23 (At this time Gramse Statement Exhibit  
24 3 was marked for identification by the  
25 Court Reporter.)

01127

1 THE WITNESS: Mark Linscheid is in the  
2 office now.

3 BY MR. COYNE:

4 Q. What number does he have on there?

5 A. Number 13. Steve Schultz has dispatched.

6 Q. And what --

7 A. 27. Just them two on this list here.

8 Q. The last one that you mentioned was Steven  
9 Schultz?

10 A. Yes.

11 Q. Do you know approximately when he dispatched?

12 A. He's dispatching right now I believe.

13 Q. And the other name you mentioned was?

14 A. Mark Linscheid, right here.

15 Q. Number 13?

16 A. Number 13.

17 Q. Do you know approximately the years when he  
18 dispatched?

19 A. I believe he's only been there nine months.

20 Q. In addition to the three-yard Dumpsters picked  
21 up at Industrial Steel, did they ever provide other  
22 containers for wastes in addition to the three-yard  
23 Dumpsters?

24 A. They had loads of steel that we used to bring  
25 to the scrap yard.

1 paint sludges from Ford and Onan went to the Waste Disposal  
2 site. Is that correct?

3 A. Yes.

4 Q. How did the dispatcher determine that the  
5 waste should go in some instances to one location for  
6 disposal and other instances to another location?

7 A. Well, when I took Ford up to the landfill,  
8 north landfill, if we had Onan, that was on the way coming  
9 back to take Onan up there too and then go back to Ford.  
10 Otherwise, the Ford Motor would go to Pigs Eye if Onan  
11 wouldn't go the same day.

12 MR. COYNE: Would you read back the  
13 last answer, please.

14 (Whereupon the requested portion of the  
15 record was read by the Court Reporter.)

16 BY MR. COYNE:

17 Q. Did you ever transport the paint sludges from  
18 Ford to Pigs Eye?

19 A. Yes.

20 Q. And is it correct that when you were hauling  
21 the Ford and Onan accounts on the same day you would take  
22 both accounts to the WDE Landfill?

23 A. Yes.

24 Q. At other times if you did not pick up the Onan  
25 account and only took the Ford account would you take the

01130

1 Ford account to Pigs Eye?

2 A. Yes.

3 Q. Did the Onan account ever go to Pigs Eye?

4 A. No.

5 Q. Was the Ford account closer so Pigs Eye than  
6 it was to WDE?

7 A. Yes. And it was closer to take Ford up to the  
8 north landfill if you were going to Onan at the same time.

9 Q. You've also check marked Rausch Manufacturing  
10 on the second page of Exhibit Number 2. Is that right?

11 A. Right.

12 Q. And what material did you pick up from the  
13 Rausch account?

14 A. That was like a silica sand and little water.

15 Q. And what kind of container was used to  
16 transport this material?

17 A. The same type of container as Ford and Onan.

18 Q. And the capacity?

19 A. Five yards.

20 Q. Five-yard Dumpsters?

21 A. Dumpster.

22 Q. And where did this material go?

23 A. That went to north landfill and Pigs Eye too.

24 Q. And by north landfill you mean the WDE?

25 A. WDE.



1           Q.     Typically when you took  
2     the WDE Landfill would you describe the  
3     you'd go through for disposal once you are  
4     Landfill?

5           A.     You'd pull through the gate, pull  
6     window, sign in and they'd direct you to where to  
7     dumping at that day and dump your load and go back  
8     company.

9           Q.     Did you ever dump these loads in the hazardous  
10    waste pit?

11          A.     No.

12          Q.     Did the silica sand have an odor to it?

13          A.     No.

14          Q.     Did it have a color?

15          A.     White.

16          Q.     What was its consistency?

17          A.     It was -- they made molds out of it to -- for  
18     die castings and material and it was just to hold -- a mold  
19     to hold the die cast together to different shapes and form.

20          Q.     When you unloaded the Dumpster at the landfill  
21     did it pour out like sand does?

22          A.     It was a dryer material, yes.

23          Q.     A dryer material than the paint sludges?

24          A.     No, about the same. Once in awhile it would  
25     stick. You'd have to take a shovel and shovel it out. It

01132

1 would cake up.

2 Q. Can you estimate the number of times that you  
3 transported these five-yard Dumpsters from the Rausch  
4 account to the WDE Landfill?

5 A. That went five days a week pretty steady.

6 Q. On a typical day how many Dumpsters would be  
7 transported?

8 A. One a day.

9 Q. Did you haul this account then every day?

10 A. Yes.

11 Q. Did others also from time to time service this  
12 account?

13 A. Yes, when I was on vacation and different  
14 times they had me doing something else, yes.

15 Q. Did this account only go to the WDE Landfill?

16 A. That went to Pigs Eye and different places too.

17 Q. How is it that it sometimes went to other  
18 places other than the WDE Landfill?

19 A. It was up to the office to dispatch where they --  
20 what side of town they wanted you to go in case they had a  
21 construction load up north or wherever your next load would  
22 have been.

23 Q. Is it correct that the office then made the  
24 decisions where the waste would be taken for disposal?

25 A. Yes.

01133

1 Q. As you look through this list which is Exhibit  
2 Number 2, are there other companies or locations from which  
3 you transported waste to the WDE Landfill?

4 A. No.

5 Q. You'll notice on the first page of the exhibit  
6 there is reference to Federal Cartridge Corporation. That  
7 is the Twin Cities Army Ammunition Plant. Did you  
8 sometimes pick up wastes at the Twin Cities Army Ammunition  
9 Plant?

10 A. No.

11 Q. In addition to this list of companies and  
12 people who are set out on Exhibit Number 2, are there other  
13 accounts from which you transported waste to WDE Landfill  
14 in Anoka County? Locations, companies or people that are  
15 not on this list?

16 A. No.

17 MR. KAPLAN: Could I have your question  
18 one more time, Dennis? I'm sorry.

19 BY MR. COYNE:

20 Q. Maybe I can say it a bit more clearly. You  
21 have testified that insofar as people and companies are  
22 named on Exhibit Number 2, you check marked the ones from  
23 which you picked up waste and took the waste to WDE.

24 A. Right.

25 Q. My question is are there companies or people

01134

1 or locations from which you picked up wastes, took it to  
2 WDE landfill which are not on our list, Exhibit Number 2?

3 A. Not to my knowledge.

4 Q. One of the companies on this list is the Foley  
5 Manufacturing Company. Did you ever pick up any wastes at  
6 Foley?

7 A. No.

8 Q. Have you ever in the course of your years of  
9 employment picked up barreled wastes and transported them  
10 to a landfill for disposal?

11 A. No.

12 Q. Did others working for Waste Control sometimes  
13 transport barreled wastes for disposal?

14 A. Yes.

15 Q. As you look at, for example, Exhibit Number 3,  
16 can you identify some people who you know did transport  
17 liquid waste for disposal?

18 A. I really don't remember anybody who did do it.  
19 I just seen drums up to north landfill that they were  
20 putting in the pit. I don't know who hauled them up there  
21 or where they come from.

22 Q. When you observed the pit, what did you  
23 observe? What was going on in those times when you saw the  
24 pit and the activities?

25 A. They had a truck with a boom on it that they

01135

1 had a strap around the barrels and set them on -- one on  
2 top of another and cover them with sand, I believe it was,  
3 or they had -- the state inspectors were there watching the --  
4 the situation, what was being put in and how it was handled.

5 Q. How do you know that state inspectors were out  
6 there?

7 A. They had "State of Minnesota" on the car doors.

8 Q. So you saw some State of Minnesota vehicles  
9 from time to time?

10 A. Time out there, yes.

11 Q. Did you ever see 55-gallon drums at the WDE  
12 site at locations other than alongside the pit or in the  
13 pit?

14 A. No.

15 Q. Did Waste Control ever operate a transfer  
16 station?

17 A. Not to my knowledge.

18 Q. You know what a transfer station is?

19 A. To dump garbage in one place and haul it out.  
20 Not to my knowledge.

21 Q. Have other drivers for Waste Control been to  
22 the WDE Landfill in addition to yourself?

23 A. Yes.

24 Q. And who are among those that you're aware of  
25 as having been out at the WDE site?

01136

1 A. John Bolin, I believe.

2 Q. Now, you're referring to the list of people,  
3 for example, on Exhibit 3, right?

4 A. Right.

5 Q. And John Bolin is Number 7 on that list, is he?

6 A. Yes. I don't know some of these guys here.  
7 That's the only one really that I recognize that I have  
8 seen up there.

9 Q. Now, how do you place John Bolin at the WDE  
10 site?

11 A. I really don't know. He hauled these 40-yard  
12 packer boxes. Where they come from, I don't know, or --

13 Q. When you saw John Bolin at the WDE site, you  
14 saw him with a 40-yard --

15 A. Packer box.

16 Q. Did you ever see him transporting drums?

17 A. No.

18 Q. In addition to John Bolin, do you recall  
19 seeing any other Waste Control driver at the WDE Landfill?

20 A. Not right offhand. We all have been there,  
21 but like I say, I didn't get there every day and know  
22 everybody that has been up there.

23 Q. What I'd like to do is get a description as  
24 complete as we can of the paperwork that was involved with  
25 the disposal of waste. Can you describe for us from the

01137

1 beginning through the end what was the nature of the  
2 paperwork that was used when wastes were disposed of?

3 A. It was a tablet form paper with lines on it  
4 where you'd sign your name and how many yards you had. And  
5 that was it.

6 Q. Were you given this tablet information when  
7 you reported to the dispatcher?

8 A. No. That would come from the landfill. You  
9 report to the landfill window and get this sheet of -- you  
10 get the tablet and you sign your name and how many yards  
11 you had and then you'd hand it back in the window.

12 Q. So that paperwork was completed at the  
13 landfill?

14 A. At the landfill.

15 Q. Did you keep a copy of the paperwork that you  
16 completed at the landfill?

17 A. No.

18 Q. When you got your assignments from the  
19 dispatcher did you have any kind of paper then?

20 A. You just have a slip of paper with the  
21 companies on it and some days you'd get one load, some days  
22 you get two and then when you'd get that done you'd call in.

23 Q. The paper that you were sometimes given by the  
24 dispatcher, did that have the place where other wastes were  
25 supposed to be transported?

01138

1 A. Yes.

2 Q. Did you hand in any paper back to the  
3 dispatcher or back to the Waste Control company?

4 A. You'd have a Waste Control book and you'd have  
5 your receipts, daily receipts.

6 Q. And by receipts, what do you mean?

7 A. From the companies that signed that you have  
8 hauled the loads.

9 Q. What information was in the Waste Control book?

10 A. It just had the company's name, address, and  
11 then they would have the telephone number and then you'd  
12 just write in there whatever you hauled, how many yards you  
13 hauled and you'd get a signature from the company you  
14 hauled it from.

15 Q. Would that be the receipt you referred to?

16 A. The receipt you hand in. That was the only  
17 paperwork that was handed in.

18 Q. Is it the same kind of paperwork that you go  
19 through today?

20 A. Yes, sir.

21 MR. COYNE: I'd like to take just a  
22 brief break and we'll finish up.

23 (At this time a brief recess was taken.)

24 BY MR. COYNE:

25 Q. Mr. Gramse, is there any part of your



01139

1 statement that you've given this afternoon which you would  
2 like to clarify or correct?

3 A. No.

4 Q. You have the opportunity to read and sign the  
5 transcript. You may also waive the reading and the signing.  
6 Have you made a decision in that regard?

7 A. I'll just waive it.

8 MR. COYNE: Thank you for appearing  
9 today in response to the subpoena that was issued to you.

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01140

1 STATE OF MINNESOTA )  
2 ) SS.  
3 COUNTY OF KOOSKICHING )

4 Be it known that I took the statement of DONALD EMIL  
5 GRAMSE, on the 9th day of June, 1986, at Roseville,  
6 Minnesota;

7 That I was then and there a Notary Public in and for  
8 the County of Koochiching, State of Minnesota, and that by  
9 virtue thereof, I was duly authorized to administer an  
10 oath;

11 That the witness before testifying was by me first  
12 duly sworn to testify the whole truth and nothing but the  
13 truth relative to said cause;

14 That the testimony of said witness was recorded in  
15 Stenotype by myself and transcribed into typewriting under  
16 my direction, and that the statement is a true record of  
17 the testimony given by the witness to the best of my  
18 ability;

19 That the reading and signing of the deposition by  
20 the witness and the Notice of Filing were waived.

21 WITNESS MY HAND AND SEAL this 17th day of June,  
22 1986.

23 \_\_\_\_\_  
24 Vicki G. Kasten  
25 Court Reporter



# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300

01919



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

January 14, 1991

Waste Control, Inc.  
95 Ivy Avenue West  
St. Paul, Minnesota 55117

Dear Sir/Madam:

RE: Requirement To Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

Ground Water & Solid Waste Division Site Response Section
File Name _____
Sub File Name _____
Initial _____

The Minnesota Pollution Control Agency (MPCA) is responsible for implementing the Minnesota Environmental Response and Liability Act (MERLA). MERLA is the cornerstone of the state's efforts to investigate and remedy hazardous waste sites where contamination threatens the public health or the environment.

Pursuant to MERLA, the MPCA staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release under MERLA because they arranged for disposal, or transport for disposal, of hazardous waste at the above-referenced site.

The MPCA staff has reason to believe that Waste Control, Inc. is a responsible person under MERLA, and may have information which is relevant to the release or threatened release for the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities under MERLA, including the identification of other responsible persons for the release or threatened release.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Waste Control, Inc.  
Page 2  
January 14, 1991

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments and any relevant documents should be mailed to the following address:

Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

~~Should you have any questions regarding this letter and the enclosed Requirement~~  
To Provide Information and Questionnaire, please contact Cathy O'Connell at  
(612) 296-7227.

Sincerely,



Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:km

Enclosures

STATE OF MINNESOTA  
POLLUTION CONTROL AGENCY

In the Matter of  
Pig's Eye Dump/Fish Hatcheries Dump

REQUIREMENT TO PROVIDE  
INFORMATION PURSUANT TO THE  
MINNESOTA ENVIRONMENTAL  
RESPONSE AND LIABILITY ACT

The Minnesota Pollution Control Agency (MPCA) staff has reason to believe that Waste Control, Inc. is a responsible person under the Minnesota Environmental Response and Liability Act (MERLA) and may have information which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants from the above-referenced site. You are required by Minnesota Statutes, Section 115B.17, subdivision 3 (1990) to provide information to the MPCA and its employees that is relevant to the release or threatened release:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response action are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

The federal Comprehensive Environmental Response and Liability Act, Section 104 (e) (1) and (2) also authorizes the MPCA, pursuant to an existing U.S. EPA - MPCA Cooperative Enforcement Agreement, to require responsible persons to furnish such information.

The MPCA is also authorized by Minnesota Statutes, Section 115B.17, subdivision 4(a) (1990) to examine and copy any books, papers, records, memoranda or data of any person who has a duty to provide information under subd. 3.

In addition, the MPCA is authorized to conduct investigations in conjunction with its duties to enforce the state's laws on water and air pollution.

Minnesota Statutes, Section 115.03, subdivision 1(h) (1990), Minnesota Statutes, Section 116.07, subdivision 9(c) (1990).

You are hereby directed to answer the attached questionnaire and to provide any relevant documents within thirty (30) days from the date of this Requirement To Provide Information. Failure to respond or to provide complete and accurate answers to the enclosed questions may result in legal action by the state of Minnesota to compel disclosure.

Date: \_\_\_\_\_

MINNESOTA POLLUTION CONTROL AGENCY

\_\_\_\_\_  
Gary A. Pulford  
Chief, Site Response Section  
Ground Water and Solid Waste Division

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump  
and  
Request for Production of Documents

Part I: ABOUT THE BUSINESS

1. Identify the full legal name of the business.
2. Is the business incorporated?

NOTE: If the answer is YES, answer Questions 3-9 of Part I; If the answer is NO, proceed to Question 9, and answer Questions 9-14 of Part I.

Questions To Be Answered By Corporations:

3. Identify the state or states in which the business is incorporated.
4. When was the business incorporated in each of the above state(s)?
5. Identify the name and address of the corporation's agent for service of process who is registered with the Minnesota Secretary of State.
6. Is the business a public or closely held corporation?
7. Identify the names, current addresses and telephone numbers of all directors and officers of the corporation.
8. If the corporation is closely held, identify the names and current addresses and telephone numbers of all shareholders of the corporation.

Questions To Be Answered By Non-Incorporated Business Entities:

9. Is the business either a legal partnership or sole proprietorship? Please specify.
10. If the answer to Question 9 is LEGAL PARTNERSHIP, is the partnership a general or limited partnership?
11. If the business is not a legal partnership or sole proprietorship, please explain the legal organization of the business (for example, joint venture, syndication).
12. How many years has the business been in operation?
13. Identify the names and current addresses and telephone numbers of all current owner(s) of the business.
14. Identify (a) any changes in owners or partners, specifying past owners or partners and their current addresses and telephone numbers; (b) past and current name(s) of the business; and (c) any changes in the location of the business.

Questions To Be Answered By All Businesses:

15. What is the Standard Industrial Classifications (SIC) Code number of the business?
16. Identify the products or services which are produced or offered by the business.
17. Describe the activities and processes used by the business production of its product (i.e., machinery electroplating).
18. Does the business subcontract to any other businesses?
19. If the answer to Question 18 is YES, identify the names and current addresses and telephone numbers of the people with whom the business subcontracts.

## Part II: ABOUT THE ENVIRONMENTAL PRACTICES OF THE BUSINESS

1. Identify the department of the business which is responsible for compliance with environmental requirements.
2. Identify all employees who are responsible for implementing the environmental program of the company (include current employee telephone numbers, length of time of job, and current work status with company).
3. Identify all environmental permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.
4. Are there any environmental enforcement actions of any kind pending which involve the company?
5. Have there been any environmental enforcement action involving the business since January 1, 1980?
6. If the answer to either Question 4 or 5 is YES, identify the type of enforcement action, the governmental agency involved, and the status or resolution of the matter.
7. Identify all waste which is currently and/or has been generated by the business. Include a list of (a) the type of waste; (b) how the waste was produced; (c) quantity disposed; (d) container used for disposal (barrels, cartons, etc.); (e) where the waste was disposed; and (f) the time period of generation and disposal of waste.
8. Did you haul garbage from businesses or industries to Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972?



Attachment 1  
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement To Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of the source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that related to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

information so certified will be held nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1990). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

-3-

9. Did you haul hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump? Include a list of (a) the name and address of all companies and/or individuals the business transported hazardous waste for (b) the type of hazardous waste if known; (c) how the waste was transported; (d) quantity disposed per load; (e) the time period of transportation and disposal of the hazardous waste.
10. How was the garbage and/or hazardous waste picked up from businesses and industries stored (for example, in drums, barrels, dumpsters) for pick up?
11. Did the business ever pick up open or sealed, 55 gallon drums with unidentified contents? If so, please identify the companies and/or individual's name and address where the drums were picked up.
12. Provide a list of all business and industrial customers whose garbage and/or hazardous waste you hauled to Pig's Eye Dump/Fish Hatcheries Dump.
13. If no waste was ever disposed by the business at the Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sites or facilities where the business disposed of its waste.
14. Is the business responsible for the waste generated by its subcontractors?
15. If the answer to Question 14 is YES, identify how the business disposes of its subcontractor's waste. Include an explanation of factors (a) through (f) in Question 7.
16. Identify the manner in which any waste generated by the business (or its subcontractors) was transported. Also list all waste haulers that the company currently uses and has used in the past and provide the dates of use.
17. If the business currently uses or has utilized waste collection service(s) for the collection of its waste, indicate the following: (a) the name of the waste collection service(s) utilized, and (b) the name of the disposal site(s) utilized by either the business or its waste collection service(s), if known.
18. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
19. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.
20. Identify all documents reviewed in the preparation of this document (i.e., manifests, letters, reports, etc.) and either (a) propose all such documents for inspection and copying, or (b) provide copies of such documents.

21. Identify each liability insurance policy held by you or the business during only the period when waste generated by the business was disposed at Pig's Eye Dump/Fish Hatcheries Dump. Provide the name and address of each insurer and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

Attachment 2  
Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. WASTE CONTROL, INC. "Waste Control, Inc." includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Waste Control, Inc."

2. PIG'S EYE DUMP/FISH HATCHERIES DUMP. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.

3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement To Provide Information.

4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officer, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignment, personnel records, record books, manifests, logs, scrapbooks, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.

5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1990) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115B.02, subdivision 5 (1990) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch landfill, storage container, motor vehicle, rolling stock, or aircraft;

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substances," as defined in Minnesota Statutes, Section 115B.02, subdivision 8 (1990), means:

(a) Any commercial chemical designated pursuant to the federal Water Pollution Control Act, under United States Code, title 33, section 1321(b)(2)(A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United State Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas a natural gas, not does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "Hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1990) means:

(a) Any hazardous waste as defined in section 116.06, subdivision 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

(b) Any hazardous waste as defined in the Resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42, section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1990) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1990) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or



dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under section 402 of the Federal Waste Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1990) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailing Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of empty pesticide containers or residues from a pesticide as defined in section 18A.21, subdivision 25.



# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

March 26, 1991

Waste Control, Inc.  
95 Ivy Avenue West  
St. Paul, Minnesota 55117

Dear Sir/Madam:

RE: Requirement To Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

Ground Water & Solid Waste Division  
Site Response Section

File Name

Sub File Name

Initial

On January 14, 1991, I wrote to you concerning the past disposal of wastes by Waste Control, Inc. at The Pig's Eye Dump/Fish Hatcheries Dump. My letter was received on January 16, 1991, by an employee of your office. To date, no response has been received from Waste Control, Inc. nor have any time extensions been requested or granted.

As indicated in the Requirement to Provide Information pursuant to the Minnesota Environmental Response and Liability Act (MERLA) transmitted to you with my letter, Minnesota Statutes, Section 115B.17, Section 3 (1988) provides that:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response actions are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

Please comply with the statutory requirements of MERLA. A full and complete response to the Requirement to Provide Information discussed above is requested within 30 calendar days of your receipt of this letter. If you have any questions regarding this letter or the Requirement to Provide Information and Questionnaire, please contact Cynthia Gaertner at (612) 296-2946, or myself at (612) 296-7227.

Sincerely,

*Cathy O'Connell*

Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:kkn

Inquiring Minds Want to Know:

1) Metropolitan Waste Control Commission

Provide the following information:

- All chemical characterizations of sludge incinerator ash.
- All ash leachate test results.
- All ground water monitoring data (we may have this already)
- Chemical characterizations of ash pond supernatant.
- List any other waste disposed of in addition to ash.

2) City of St. Paul

- Did they dispose of any of the following wastes:

Paints/Lacquers/Varnishes; Solvents; Insecticides

Petroleum Hydrocarbons (e.g. sludges from gasoline of fuel tanks)

- Have the trees being chipped on the property been treated with any insecticide or are the chips treated with insecticide?
- What was the nature of explosives/ammunition disposed of at area leased from CMC?

3) 3M

- What 3M plants used Pigs Eye for waste disposal?

What did these plants manufacture? What were their wastes?

- Did 3M have designated disposal "cells"? Where?

- General categories of possible 3M waste:

Pigments/Dyes; Paints/Lacquers/Varnishes; Solvents; Plastics/Resins/Adhesives

- Chemlite Plant manufactured, and possibly disposed of:

Alcohols, ethers, ketones, toluene, xylenes, other solvents

- Specific wastes + contaminants found @ Chemlite Plant:

neutralized hydrofluoric tars; boiler ash; phenolic wastes, resins, adhesives, pigments

1,1,1-TCE; 1,1-DCA; 1,2-DCA; 1,1,2-TCF; Methylene Chloride, chloroform; acetone,

refrigerants:

Ammonia,  $NH_3$

$CCl_2F_2$

4) Whirlpool Corp

- General categories of possible whirlpool waste, Paint/lacquer/Varnish sludges, Porcelain sludges, Solvents, Porcelain glasses, Electrical components
- What was the composition of Paint + porcelain sludges disposed of as noted in 10/15/71 memo from Joe Grea.

5) Milwaukee RR

- What was disposed of from "clean-out" cars? (See 3/26/69 memo)
- Did they dispose of treated lumber (ie. RR ties)
- PHC Spills/leaks?
- Dispose of any tank car still bottom?

6) Ford

- "Cell" location?
- General categories of possible Ford waste: Solvents/degreasers, Paints/lacquers/Varnishes, Pigments/dyes, Plastics/Resins/Adhesives, Oils, Electrical components

7) Waste Control, McKnight, Casanova Bros., Post Richards

- These haulers were identified in 10/15/71 memo from Joe Grea as having possibly hauled + delivered drums of oil and paint thinner to Pigs Eye. Who were these customers?

## Possible Source Categories for Contaminant @ Pys Eye

Pigments/Dyes: Metals; 1,4-Dichlorobenzene

Paints/Lacquers/Varnishes: Metals; Benzene; Methylene Chloride; Acetone; Chlorobenzenes

Solvents: Benzene; Methylene Chloride; 1,2-Dichlorobenzene; Xylenes; Toluene; Acetone

Plastics/Resins/Adhesives: Methylene Chloride; Xylenes; BEHP; Di-n-Butylphthalate; Butylbenzylphthalate; Toluene; Diethylphthalate

PHC: Benzene; Toluene; Xylenes

Insecticides: Diethylphthalate; 1,4-Dichlorobenzene; 1,2-Dichlorobenzene; Dieldrin; 4,4'-D DDT; Endrin; Ketone; Benzene

PAH: Naphthalene; 2-Methylnaphthalene; Phenanthrene; Fluoranthene; Pyrene; Chrysene; Benzo(a) Anthracene; Benzo(a) Pyrene

PCB: - Aroclor 1016

1074

St. Paul files

~~ST~~  
~~ST~~  
~~ST~~

File  
ST. PAUL

02387



RECEIVED

JUL 30 1973

MINN. POLLUTION  
CONTROL AGENCY

Automotive Assembly Division  
Ford Motor Company

Twin Cities Assembly Plant  
966 South Mississippi River Blvd.  
St. Paul, Minnesota 55116

July 27, 1973

Mr. John C. Lichter, Engineer  
Section of Enforcement  
Division of Solid Waste

Subject: Disposal of Paint Sludge and Solvents

Dear Sir:

In answer to your memo of July 12, 1973, we advise as follows:

We are not aware of any instance whereby we are disposing of industrial process wastes improperly. All such materials are collected and hauled away by our contractor, Waste Control, Incorporated, who operates under Permit #SW28, issued by Division of Solid Waste, Minnesota Pollution Control Agency.

The issuance of such a permit is conditioned upon his being an approved contractor, hauling to an approved land fill dump site.

The quantity of materials being disposed of in this manner are as follows:

- Approximately 58,000 gallons/year of paint sludge - hauled in a 500 gallon tank truck.
- 1330 - 55 gallon drums/year - of waste, grease, oils, solvents, etc. collected from various plant operations.

We trust this will provide you with the necessary information.

Very truly yours,

*C. J. Stofko*  
C. J. Stofko  
Plant Manager

/smd



Office of the General Counsel

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

February 11, 1991

Art Dunn  
Chief of Solid Waste Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155

Subject: Pig's Eye Dump/ Fish Hatcheries Dump  
Ramsey County, Minnesota

Dear Mr. Dunn,

Pursuant to Minnesota Statute §13.03 et seq., Ford Motor Company hereby requests disclosure of the documents described below:

1. Copies of any documents indicating a connection between Ford Motor Company and the Pig's Eye Dump/ Fish Hatcheries Dump, Ramsey County, Minnesota.
2. Copies of any documents providing waste-in or other allocation information regarding the Site.
3. Copies of any studies or technical documents indicating the nature and extent of contamination at the Site.
4. Copies of any documents providing information about any costs incurred to date as a result of any study, cleanup, or other removal or remedial action taken at the Site.

The term "documents" as used herein includes, without limitation by reason of enumeration, all documents, correspondence, photographs, memoranda, reports, notes and writings of any kind.

Ford Motor Company will pay copying charges associated with this request as required by law. Please feel free to contact me

EEB  
Feb 15 1991  
Ground Water  
& Solid Waste Div.

to arrange for payment of the copying costs and to answer any questions you might have regarding this request. I may be reached by mail at the above address, by telephone at (313) 390-1878, or by facsimile transmission at (313) 390-3083.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robin D. Couch".

Robin D. Couch  
Staff Attorney

pigsstat.foia



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LUMINA SEARCH REQUEST: S=CHEMICALS -DICTIONARIES  
CATALOG RECORD -- NO. 23 OF 38 ENTRIES FOUND

Gardner, William, d. 1943.

Chemical synonyms and trade names : a dictionary and commercial handbook containing over 35,500 definitions / by William Gardner. -- 8th ed., rev. and enl. / by Edward I. Cooke and Richard W. I. Cooke. -- Oxford : Technical Press c1978.

769 p. ; 25 cm.

Eighth ed. has title: Handbook of Chemical synonyms and trade names.

Includes index.

SUBJECT HEADINGS (Library of Congress; use s= ):

Chemicals--Dictionaries.

Chemicals--Trade-marks.

LOCATION: ST PAUL CENTRAL Ref

CALL NUMBER: 540.3 G177 1978

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LUMINA SEARCH REQUEST: S=CHEMICALS -DICTIONARIES  
CATALOG RECORD -- NO. 23 OF 38 ENTRIES FOUND (CONTINUED)

Gardner, William, d. 1943. Chemical synonyms and trade names ... c1978.  
(CONTINUED)

LOCATION: WALTER SCI/ENG Ref

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CATALOG RECORD -- NO. 21 OF 38 ENTRIES FOUND

Gardner's chemical synonyms and trade names / executive editor, Jill Pearce  
consultant, John Buckingham. -- 9th ed. -- Aldershot, Hants, England ;  
Brookfield, Vt., U.S.A. : Gower Technical Press, c1987.  
1081 p. ; 24 cm.  
Includes index.  
SUBJECT HEADINGS (Library of Congress; use s= ):  
Chemicals--Dictionaries.  
Chemicals--Trademarks.

LOCATION: WALTER SCI/ENG Ref  
CALL NUMBER: TP9 .G286 1987

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LUMINA SEARCH REQUEST: S=CHEMICALS -DICTIONARIES  
CATALOG RECORD -- NO. 21 OF 38 ENTRIES FOUND

Encyclopedia of chemical trademarks and synonyms / edited by H. Bennett. --  
York, N.Y. : Chemical Publishing, c1981-1983.  
3 v. ; 27 cm.  
SUBJECT HEADINGS (Library of Congress; use s= ):  
Chemicals--Dictionaries.  
Chemicals--Trade-marks.

LOCATION: WALTER SCI/ENG Ref  
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LUMINA SEARCH REQUEST: S=CHEMICALS -DICTIONARIES  
CATALOG RECORD -- NO. 21 OF 38 ENTRIES FOUND (CONTINUED)

Encyclopedia of chemical trademarks and synonyms ... c1981-1983.  
(CONTINUED)

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16EZO



Office of the General Counsel

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

February 28, 1991

VIA FACSIMILE AND FEDERAL EXPRESS

Ms. Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

RECEIVED

MAR 04 91

MPCA, Ground Water  
& Solid Waste Div

Subject: Pig's Eye/Fish Hatcheries Dump  
Requirement to Provide Information

Dear Ms. O'Connell,

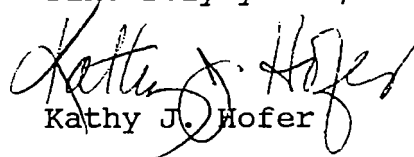
Ford Motor Company's response to the Minnesota Pollution Control Agency's ("MPCA") Requirement to Provide Information regarding the Pig's Eye/Fish Hatcheries site is enclosed. It is the policy of Ford Motor Company to cooperate with all applicable environmental laws.

Please direct all further communication concerning this Site to me at the following address:

Kathy J. Hofer  
Ford Motor Company  
Office of the General Counsel  
Suite 401, Parklane Towers West  
One Parklane Boulevard  
Dearborn, Michigan 48126

I may also be reached by telephone at (313) 594-1687 or by facsimile transmission at (313) 390-3083. Please feel free to call me if you have any questions regarding Ford's response to the Requirement to Provide Information.

Sincerely yours,

  
Kathy J. Hofer

MINNESOTA  
POLLUTION CONTROL AGENCY

In the matter of:	)	FORD MOTOR COMPANY'S
PIG'S EYE DUMP/FISH HATCHERIES DUMP	)	RESPONSE TO
RAMSEY COUNTY, MINNESOTA	)	REQUIREMENT TO
-----	)	PROVIDE INFORMATION

GENERAL OBJECTIONS

Ford Motor Company ("Ford") objects to this Requirement to Provide Information ("Requirement") on the grounds, among others, that:

a. The Minnesota Pollution Control Agency ("MPCA") has not established the necessary prerequisites, set forth in the Minnesota Environmental Response and Liability Act ("MERLA") or the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), to its authority to seek certain information under those acts.

b. The subject matter of the Requirement appears to be outside the scope of the matters covered by the state's laws on water and air pollution and, therefore, the MPCA is not authorized by such laws to seek the information requested in the Requirement.

c. The Requirement purports to require that a search be conducted without geographic or temporal limitation and therefore is overly broad and seeks to impose obligations which are unduly burdensome.

d. The Requirement seeks certain information neither authorized by MERLA or CERCLA, nor relevant to the subject matter of the Requirement.

e. The Requirement seeks identification of and copies of "all documents reviewed in the preparation of this document," whether or not such documents are responsive to the Requirement or otherwise relevant to the subject matter of the Requirement, a requirement not authorized by MERLA or CERCLA.

f. The Requirement seeks the identity, addresses, and telephone numbers of "all persons consulted in the preparation of the response to the Questionnaire," whether or not such persons have information that is responsive to the Requirement or otherwise relevant to the subject matter of the Requirement, requirements not authorized by MERLA or CERCLA.

g. The Requirement purports to impose a continuing obligation to supplement Ford's response although no supplementation is required by MERLA or CERCLA.

- 2 -

h. The Requirement purports to require responses based upon information and documents outside the custody and control of Ford Motor Company.

i. The definitions of "Ford Motor Company," "You," and "business" are overly broad and seek to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

j. The definition of "document" is overly broad and seeks to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

k. The definitions of "IDENTIFY/Individual"; "IDENTIFY/Business"; and "IDENTIFY/Document" are overly broad and seek to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

l. The Requirement seeks information protected from disclosure by the attorney-client privilege and the attorney work product doctrine, including but not limited to the identification of all persons or other sources of information consulted in the preparation of the answer, and all documents consulted, examined, or referred to in the preparation of the answer.

m. The Requirement purports to require the notarized signature of a Company official or representative that there has been a diligent search for records relevant to the questionnaire and a diligent interview process with present and former employees, a requirement not authorized by MERLA or CERCLA.

n. The Requirement purports to require that information based on personal knowledge be submitted in the form of notarized affidavits, a requirement not authorized by MERLA or CERCLA.

o. The Requirement purports to require the identification of the date of disposal of any documents requested which may have been disposed of, and therefore is overly broad and seeks to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

Without waiving or in any way limiting any objection which it has or may have, Ford makes the following response to the Requirement, based upon a reasonable investigation and document search limited to the Ford Twin Cities Assembly Plant, St. Paul, Minnesota, the facility to which the Requirement was addressed, and limited to the time period of 1956 to 1972, the time period referenced in the Requirement:

#### Part I

1. Ford Motor Company.

2. Yes.

3. Delaware.
4. July 9, 1919.
5. C T Corporation System, Inc.  
405 Second Avenue, South  
Minneapolis, Minnesota 55401
6. Ford is a publicly held corporation.
7. Ford objects to this request on the grounds that it is neither authorized by MERLA or CERCLA, nor relevant to the subject matter of the Requirement.
8. Not Applicable.
- 9-14. Not Applicable.
15. The Standard Industrial Classification (SIC) Code number for the Twin Cities Assembly Plant is 3711.
16. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that the Twin Cities Assembly Plant is an automotive assembly plant which currently produces light duty Ford trucks.
17. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that, during the relevant period, the activities and processes engaged in by the Twin Cities Assembly Plant included phosphating of automotive bodies, prime and topcoat painting of automotive bodies, cleaning of painting equipment and facilities, welding and construction of automotive bodies, final automotive assembly of complete vehicles from parts manufactured at other facilities, and cafeteria and office functions.
18. Ford objects to this request as irrelevant and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that it contracts with hundred of persons and businesses for goods and services.
19. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

Part II

1. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection it has or may have, Ford responds that there are many departments within Ford that are responsible for compliance with environmental requirements, including Ford's Environmental Quality Office.

2. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection it has or may have, Ford responds that there are many employees within Ford responsible for implementing the environmental programs of Ford. At Ford's Twin Cities Assembly Plant, Mr. John Kallaus is the Environmental Engineer and Mr. R. W. Johnson is the Manufacturing Engineering Manager, and they are two of the persons responsible for implementing Ford's environmental programs.

3. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection it has or may have, Ford responds that it holds numerous environmental permits issued by various governmental authorities.

4. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

5. See response to Part II, No. 4.

6. See response to Part II, Nos. 4 and 5.

7. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds as follows:

a. The plant has generated the following wastes:

-- Paint sludges comprised of the following:

1950-1958	20J-Soya Alkyd, Melamine Resins
1958-1960	25J-Soya Coconut Alkyd, Melamine Resins
1960-1972	30J-Coconut Alkyd, Melamine Resins

1972                    32J-Acrylic, Melamine Resins

-- Waste solvents containing the following:

1950-1972      aromatic and aliphatic hydrocarbons, ketones  
                 esters, alcohol, xylene and toluene

-- Waste Oils and Greases:

petroleum derivatives with a naphthenic or paraffinic  
base (hydraulic and motor oil)

-- Phosphating sludge

-- Cardboard, paper, wood, and general refuse

-- Batteries

-- Heavy and light steel, cast iron, brass and copper

b. The wastes have been generated as follows:

-- Paint sludges result from the painting and  
priming of automotive bodies

-- Waste solvents result from the cleaning of facilities  
and painting equipment

-- Waste oils result from the maintenance of forklifts,  
pool cars and hydraulic equipment

-- Phosphate sludge results from the phosphating of  
automotive bodies

-- Cardboard, paper, wood and general refuse result from  
packaging materials and general plant operations

-- Batteries result from use in forklift trucks and pool  
cars or were defective when received

c. Ford has insufficient information to determine the  
quantities of waste disposed by the plant during the relevant time  
period.

d. During the relevant time period the waste from the  
plant was apparently disposed of both in drums or barrels and in  
bulk.

e. All plant wastes were disposed or buried onsite at the  
plant until the mid-1950s. Some wastes continued to be disposed  
onsite until the mid-1960s. To the best of Ford's knowledge,  
Ford never directed the disposal of any waste or other materials  
at the Pig's Eye/Fish Hatcheries Dump. It appears, however, that  
Waste Control Incorporated (formerly called Twin City Waste  
Control), the hauler used by the plant during the relevant time  
period, told a former employee that it may have used the Pig's  
Eye/Fish Hatcheries Dump prior to the early 1960s. Waste Control



Incorporated apparently used other disposal locations after that time.

f. See response to Part II, No. 7(e).

8. Ford has not located any information that would indicate that it hauled any material to the site or to any designated disposal area at the site.

9. Yes. See response to Part II, No. 7(a).

10. Ford has not located sufficient information to enable it to determine the chemical composition or the total amounts of waste, if any, generated by Ford and disposed of at the Pig's Eye/Fish Hatcheries Dump.

11. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

12. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement, and as calling for a legal conclusion.

13. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Ford also objects to the request as vague and ambiguous in that Question 9 does not request information dealing with subcontractors.

14. Ford objects to this request as overly broad, unduly burdensome, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that during the relevant period Waste Control Incorporated (formerly called Twin City Waste Control) hauled wastes from the Twin Cities Assembly Plant.

15. See response to Part II, Nos. 7 and 14.

16. Ford objects to this request as overly broad and unduly burdensome and on the grounds that it seeks information protected from disclosure by the attorney-client privilege and the attorney work product doctrine. These responses are the corporate responses of the Ford Motor Company based upon information obtained from its employees and records under the direction of its attorneys.

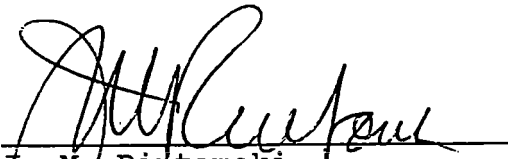
17. Mr. Ron Roth of Waste Control Incorporated may have information relevant to this request.

- 7 -

18. Ford objects to this request as overly broad and unduly burdensome and on the grounds that it seeks information protected from disclosure by the attorney work product doctrine.

19. With respect to insurance coverage, we assume that this is a form question attempting to determine information relating to the ability of a person to pay for or to perform a cleanup. Ford's financial ability to pay is public information and not in dispute. Thus, the request is unduly burdensome.

I, J. M. RINTAMAKI, am an Assistant Secretary of Ford Motor Company and sign this Response to the MPCA's Requirement to Provide Information for and on behalf of Ford Motor Company, and am duly authorized to do so; certain of the matters stated herein are not within my personal knowledge; the facts stated herein have been assembled by authorized employees and counsel of Ford Motor Company; and I am informed that the facts stated herein are true.

  
\_\_\_\_\_  
J. M. Rintamaki  
Assistant Secretary

pieysta.104



Office of the General Counsel  
Environmental Law

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

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	_____	Mark D. Edie	(313) 390-1874
	_____	Michelle D. Erikainen	(313) 594-1747
	_____	Timothy A. Green	(313) 390-1875
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_____	Susan J. Endreszl	(313) 322-1941
_____	Barbara A. Greenlee	(313) 390-1875

REMARKS: \_\_\_\_\_



Office of the General Counsel

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48128

February 28, 1991

VIA FACSIMILE AND FEDERAL EXPRESS

Ms. Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

Subject: Pig's Eye/Fish Hatcheries Dump  
Requirement to Provide Information

Dear Ms. O'Connell,

Ford Motor Company's response to the Minnesota Pollution Control Agency's ("MPCA") Requirement to Provide Information regarding the Pig's Eye/Fish Hatcheries site is enclosed. It is the policy of Ford Motor Company to cooperate with all applicable environmental laws.

Please direct all further communication concerning this Site to me at the following address:

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Sincerely yours,

A handwritten signature in cursive script that reads "Kathy J. Hofer".  
Kathy J. Hofer

02402

MINNESOTA  
POLLUTION CONTROL AGENCY

In the matter of:	)	FORD MOTOR COMPANY'S
PIG'S EYE DUMP/FISH HATCHERIES DUMP	)	RESPONSE TO
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02403



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Environmental Law

Ford Motor Company  
Parklane Towers West, Suite 401  
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Dearborn, Michigan 48126

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	<u>      </u>		(313) _____

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A handwritten signature in cursive script that reads "Kathy J. Hofer".  
Kathy J. Hofer

02405

MINNESOTA  
POLLUTION CONTROL AGENCY

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PIG'S EYE DUMP/FISH HATCHERIES DUMP	)	RESPONSE TO
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j. The definition of "document" is overly broad and seeks to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

k. The definitions of "IDENTIFY/Individual"; "IDENTIFY/Business"; and "IDENTIFY/Document" are overly broad and seek to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

l. The Requirement seeks information protected from disclosure by the attorney-client privilege and the attorney work product doctrine, including but not limited to the identification of all persons or other sources of information consulted in the preparation of the answer, and all documents consulted, examined, or referred to in the preparation of the answer.

m. The Requirement purports to require the notarized signature of a Company official or representative that there has been a diligent search for records relevant to the questionnaire and a diligent interview process with present and former employees, a requirement not authorized by MERLA or CERCLA.

n. The Requirement purports to require that information based on personal knowledge be submitted in the form of notarized affidavits, a requirement not authorized by MERLA or CERCLA.

o. The Requirement purports to require the identification of the date of disposal of any documents requested which may have been disposed of, and therefore is overly broad and seeks to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

Without waiving or in any way limiting any objection which it has or may have, Ford makes the following response to the Requirement, based upon a reasonable investigation and document search limited to the Ford Twin Cities Assembly Plant, St. Paul, Minnesota, the facility to which the Requirement was addressed, and limited to the time period of 1956 to 1972, the time period referenced in the Requirement:

Part I

1. Ford Motor Company.

2. Yes.

- 3 -

3. Delaware.

4. July 9, 1919.

5. C T Corporation System, Inc.  
405 Second Avenue, South  
Minneapolis, Minnesota 55401

6. Ford is a publicly held corporation.

7. Ford objects to this request on the grounds that it is neither authorized by MERLA or CERCLA, nor relevant to the subject matter of the Requirement.

8. Not Applicable.

9-14. Not Applicable.

15. The Standard Industrial Classification (SIC) Code number for the Twin Cities Assembly Plant is 3711.

16. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that the Twin Cities Assembly Plant is an automotive assembly plant which currently produces light duty Ford trucks.

17. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that, during the relevant period, the activities and processes engaged in by the Twin Cities Assembly Plant included phosphating of automotive bodies, prime and topcoat painting of automotive bodies, cleaning of painting equipment and facilities, welding and construction of automotive bodies, final automotive assembly of complete vehicles from parts manufactured at other facilities, and cafeteria and office functions.

18. Ford objects to this request as irrelevant and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that it contracts with hundred of persons and businesses for goods and services.

19. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

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Part II

1. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection it has or may have, Ford responds that there are many departments within Ford that are responsible for compliance with environmental requirements, including Ford's Environmental Quality Office.

2. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection it has or may have, Ford responds that there are many employees within Ford responsible for implementing the environmental programs of Ford. At Ford's Twin Cities Assembly Plant, Mr. John Kallaus is the Environmental Engineer and Mr. R. W. Johnson is the Manufacturing Engineering Manager, and they are two of the persons responsible for implementing Ford's environmental programs.

3. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection it has or may have, Ford responds that it holds numerous environmental permits issued by various governmental authorities.

4. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

5. See response to Part II, No. 4.

6. See response to Part II, Nos. 4 and 5.

7. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds as follows:

a. The plant has generated the following wastes:

-- Paint sludges comprised of the following:

1950-1958	20J-Soya Alkyd, Melamine Resins
1958-1960	25J-Soya Coconut Alkyd, Melamine Resins
1960-1972	30J-Coconut Alkyd, Melamine Resins

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1972 32J-Acrylic, Melamine Resins

-- Waste solvents containing the following:

1950-1972 aromatic and aliphatic hydrocarbons, ketones  
esters, alcohol, xylene and toluene

-- Waste Oils and Greases:

petroleum derivatives with a naphthenic or paraffinic  
base (hydraulic and motor oil)

-- Phosphating sludge

-- Cardboard, paper, wood, and general refuse

-- Batteries

-- Heavy and light steel, cast iron, brass and copper

b. The wastes have been generated as follows:

-- Paint sludges result from the painting and  
priming of automotive bodies

-- Waste solvents result from the cleaning of facilities  
and painting equipment

-- Waste oils result from the maintenance of forklifts,  
pool cars and hydraulic equipment

-- Phosphate sludge results from the phosphating of  
automotive bodies

-- Cardboard, paper, wood and general refuse result from  
packaging materials and general plant operations

-- Batteries result from use in forklift trucks and pool  
cars or were defective when received

c. Ford has insufficient information to determine the  
quantities of waste disposed by the plant during the relevant time  
period.

d. During the relevant time period the waste from the  
plant was apparently disposed of both in drums or barrels and in  
bulk.

e. All plant wastes were disposed or buried onsite at the  
plant until the mid-1950s. Some wastes continued to be disposed  
onsite until the mid-1960s. To the best of Ford's knowledge,  
Ford never directed the disposal of any waste or other materials  
at the Pig's Eye/Fish Hatcheries Dump. It appears, however, that  
Waste Control Incorporated (formerly called Twin City Waste  
Control), the hauler used by the plant during the relevant time  
period, told a former employee that it may have used the Pig's  
Eye/Fish Hatcheries Dump prior to the early 1960s. Waste Control

- 6 -

Incorporated apparently used other disposal locations after that time.

f. See response to Part II, No. 7(e).

8. Ford has not located any information that would indicate that it hauled any material to the site or to any designated disposal area at the site.

9. Yes. See response to Part II, No. 7(a).

10. Ford has not located sufficient information to enable it to determine the chemical composition or the total amounts of waste, if any, generated by Ford and disposed of at the Pig's Eye/Fish Hatcheries Dump.

11. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

12. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement, and as calling for a legal conclusion.

13. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Ford also objects to the request as vague and ambiguous in that Question 9 does not request information dealing with subcontractors.

14. Ford objects to this request as overly broad, unduly burdensome, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that during the relevant period Waste Control Incorporated (formerly called Twin City Waste Control) hauled wastes from the Twin Cities Assembly Plant.

15. See response to Part II, Nos. 7 and 14.

16. Ford objects to this request as overly broad and unduly burdensome and on the grounds that it seeks information protected from disclosure by the attorney-client privilege and the attorney work product doctrine. These responses are the corporate responses of the Ford Motor Company based upon information obtained from its employees and records under the direction of its attorneys.

17. Mr. Ron Roth of Waste Control Incorporated may have information relevant to this request.

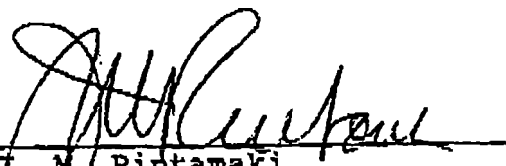
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- 7 -

18. Ford objects to this request as overly broad and unduly burdensome and on the grounds that it seeks information protected from disclosure by the attorney work product doctrine.

19. With respect to insurance coverage, we assume that this is a form question attempting to determine information relating to the ability of a person to pay for or to perform a cleanup. Ford's financial ability to pay is public information and not in dispute. Thus, the request is unduly burdensome.

I, J. M. RINTAMAKI, am an Assistant Secretary of Ford Motor Company and sign this Response to the MPCA's Requirement to Provide Information for and on behalf of Ford Motor Company, and am duly authorized to do so; certain of the matters stated herein are not within my personal knowledge; the facts stated herein have been assembled by authorized employees and counsel of Ford Motor Company; and I am informed that the facts stated herein are true.



J. M. Rintamaki  
Assistant Secretary

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FEB 11 91

EPA, Ground Water  
& Solid Waste Div.

Office of the General Counsel

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

February 7, 1991

Ms. Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

Subject: Requirement to Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

Dear Ms. O'Connell,

Pursuant to my conversation today with Kristen in your office, this is to confirm Ford Motor Company's extension until February 28, 1991 to respond to the Requirement to Provide Information in the above referenced matter.

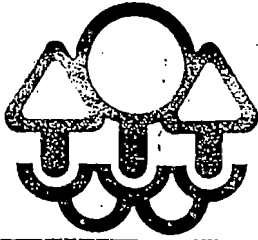
If the above does not accurately reflect our understanding, please contact me at (313) 390-1878.

Sincerely,

A handwritten signature in cursive script that reads "Robin Couch".

Robin D. Couch  
Staff Attorney

pieyext.ltr



02413

# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155

Telephone (612) 296-6300

*Certificate*  
MINNESOTA 1990CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

January 8, 1991

Mr. John Kallaus  
Ford Motor Company  
966 S. Mississippi River Blvd.  
St. Paul, Minnesota 55166

Dear Mr. Kallaus

RE: Requirement To Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

The Minnesota Pollution Control Agency (MPCA) is responsible for implementing the Minnesota Environmental Response and Liability Act (MERLA). MERLA is the cornerstone of the state's efforts to investigate and remedy hazardous waste sites where contamination threatens the public health or the environment.

Pursuant to MERLA, the MPCA staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release under MERLA because they arranged for disposal, or transport for disposal, of hazardous waste at the above-referenced site.

The MPCA staff has reason to believe that Ford Motor Company is a responsible person under MERLA, and may have information which is relevant to the release or threatened release for the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities under MERLA, including the identification of other responsible persons for the release or threatened release. This is a first Questionnaire; in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Ground Water & Solid Waste Division Site Response Section
<u>Pig's Eye</u> File Name
_____ Sub File Name
_____ Initial



Mr. John Kallans  
Page 2  
January 8, 1991

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments and any relevant documents should be mailed to the following address:

Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

Should you have any questions regarding this letter and the enclosed Requirement To Provide Information and Questionnaire, please contact Cathy O'Connell at (612) 296-7227.

Sincerely,



Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:klm

Enclosures

STATE OF MINNESOTA  
POLLUTION CONTROL AGENCY

In the Matter of  
Pig's Eye Dump/Fish Hatcheries Dump

REQUIREMENT TO PROVIDE  
INFORMATION PURSUANT TO THE  
MINNESOTA ENVIRONMENTAL  
RESPONSE AND LIABILITY ACT

The Minnesota Pollution Control Agency (MPCA) staff has reason to believe that Ford Motor Company is a responsible person under the Minnesota Environmental Response and Liability Act (MERLA) and may have information which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants from the above-referenced site. You are required by Minnesota Statutes, Section 115B.17, subdivision 3 (1990) to provide information to the MPCA and its employees that is relevant to the release or threatened release:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response action are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

The federal Comprehensive Environmental Response and Liability Act, Section 104 (e) (1) and (2) also authorizes the MPCA, pursuant to an existing U.S. EPA - MPCA Cooperative Enforcement Agreement, to require responsible persons to furnish such information.

The MPCA is also authorized by Minnesota Statutes, Section 115B.17, subdivision 4(a) (1990) to examine and copy any books, papers, records, memoranda or data of any person who has a duty to provide information under subd. 3.


In addition, the MPCA is authorized to conduct investigations in conjunction with its duties to enforce the state's laws on water and air pollution.

Minnesota Statutes, Section 115.03, subdivision 1(h) (1990), Minnesota Statutes, Section 116.07, Section 116.07, subdivision 9(c) (1990).

You are hereby directed to answer the attached questionnaire and to provide any relevant documents within thirty (30) days from the date of this Requirement To Provide Information. Failure to respond or to provide complete and accurate answers to the enclosed questions may result in legal action by the state of Minnesota to compel disclosure.

Date: JAN 08 1991

MINNESOTA POLLUTION CONTROL AGENCY

  
\_\_\_\_\_  
Gary A. Dufford  
Chief, Site Response Section  
Ground Water and Solid Waste Division

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump  
and  
Request for Production of Documents

Part I: ABOUT THE BUSINESS

1. Identify the full legal name of the business.
2. Is the business incorporated?

NOTE: If the answer is YES, answer Questions 3-9 of Part I; If the answer is NO, proceed to Question 9, and answer Questions 9-14 of Part I.

Questions To Be Answered By Corporations:

3. Identify the state or states in which the business is incorporated.
4. When was the business incorporated in each of the above state(s)?
5. Identify the name and address of the corporation's agent for service process who is registered with the Minnesota Secretary of State.
6. Is the business a public or closely held corporation?
7. Identify the names, current addresses and telephone numbers of all directors and officers of the corporation.
8. If the corporation is closely held, identify the names and current addresses and telephone numbers of all shareholders of the corporation.

Questions To Be Answered By Non-Incorporated Business Entities:

9. Is the business either a legal partnership or sole proprietorship? Please specify.
10. If the answer to Question 9 is LEGAL PARTNERSHIP, is the partnership a general or limited partnership?
11. If the business is not a legal partnership or sole proprietorship, please explain the legal organization of the business (for example, joint venture, syndication).
12. How many years has the business been in operation?
13. Identify the names and current addresses and telephone numbers of all current owner(s) of the business.
14. Identify (a) any changes in owners or partners, specifying past owners or partners and their current addresses and telephone numbers; (b) past and current name(s) of the business; and (c) any changes in the location of the business.

Questions To Be Answered By All Businesses:

15. What is the Standard Industrial classifications (SIC) Code number of the business?
16. Identify the products or services which are produced or offered by the business.
17. Describe the activities and processes used by the business production of its product (i.e., machinery electroplating).
18. Does the business subcontract to any other businesses?
19. If the answer to Question 18 is YES, identify the names and current addresses and telephone numbers of the people with whom the business subcontracts.

## Part II: ABOUT THE ENVIRONMENTAL PRACTICES OF THE BUSINESS

1. Identify the department of the business which is responsible for compliance with environmental requirements.
2. Identify all employees who are responsible for implementing the environmental program of the company (include current employee telephone numbers, length of time of job, and current work status with company).
3. Identify all environmental permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dated for such permits.
4. Are there any environmental enforcement actions of any kind pending which involve the company?
5. Have there been any environmental enforcement action involving the business since January 1, 1980?
6. If the answer to either Question 4 or 5 is YES, identify the type of enforcement action, the governmental agency involved, and the status or resolution of the matter.
7. Identify all waste which is currently and/or has been generated by the business. Include a list of (a) the type of waste; (b) how the waste was produced; (c) quantity disposed; (d) container used for disposal (barrels, cartons, etc.); (e) where the waste was disposed; and (f) the time period of generation and disposal of waste.
8. Did Ford Motor Company have a designated disposal area at the site? If yes, please provide a map showing the location of the designated area.

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9. Did your company generate any of the following wastes:

acetone	1,2,4-trimethyl benzene
barium compounds	xylene
benzene	zinc compounds
n-butyl alcohol	glycol ethers
ethyl benzene	chlorobenzene
ethylene glycol	methyl ethyl ketone
methyl isobutyl ketone	phenol
phosphoric acid	pentachlorophenol
sulfuric acid	anthracene
1,2 - Diphenylhydrazine	isophorone
carbide abrasives	calcium hydroxide
mercury	ferric Chloride
selenium	silver
lacquer	di-n-Butylphthalate
butylbenzylphthalate	paint sludges
plastics	resins
adhesives	varnishes
transformers	transformer fluids
batteries	

Cyanide wastes from cyanide plating solutions, simple cyanide or cyanide baths

Paints containing:

lead  
chromium  
cadmium  
barium  
nickel

Solvents, such as:

methylene chloride  
trichloroethylene  
trichloroethane  
petroleum naphtha  
mineral spirits  
vapor degreasers  
immersion cleaner  
freon

Used oil, such as:

lubricating oil	grease
gear oil	transformer fluids
cutting oil	transmission fluids
tempering or quenching oils	

Used oil containing heavy metals or PCBs

Used oils containing or mixed with solvents, if so please indicate the type of solvents

10. With respect to each solid or hazardous wastes which was generated by Ford Motor Company and disposed of at the Pig's Eye/Fish Hatcheries Dump, to the best of your ability please state the following:
  - a. The chemical composition of each waste disposed and the procedure utilized in making the determination;
  - b. The total amount (by volume and weight) of each type of waste disposed in each calendar month (if monthly totals are not available, provide the amounts disposed in each calendar year).
11. If no waste was ever disposed by the business at the Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sites or facilities where the business disposed of its waste.
12. Is the business responsible for the waste generated by its subcontractors?
13. If the answer to Question 9 is YES, identify how the business disposes of its subcontractor's waste. Include an explanation of factors (a) through (f) in Question 7.
14. Identify the manner in which any waste generated by the business (or its subcontractors) was transported. Also list all waste haulers that the company currently uses and has used in the past and provide the dates of use.
15. If the business currently uses or has utilized waste collection service(s) for the collection of its waste, indicate the following: (a) the name of the waste collection service(s) utilized, and (b) the name of the disposal site(s) utilized by either the business or its waste collection service(s), if known.
16. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
17. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.
18. Identify all documents reviewed in the preparation of this document (i.e., manifests, letters, reports, etc.) and either (a) propose all such documents for inspection and copying, or (b) provide copies of such documents.
19. Identify each liability insurance policy held by you or the business during only the period when waste generated by the business was disposed at Pig's Eye Dump/Fish Hatcheries Dump. Provide the name and address of each insurer

-5-

and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)



Attachment 1  
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement To Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of the source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that related to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

information so certified will be help nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1990). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

Attachment 2  
Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. FORD MOTOR COMPANY. "Ford Motor Company" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Ford Motor Company".
2. PIG'S EYE DUMP/FIST HATCHERIES DUMP. "Pig's Eye Dump/Fist Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul Minnesota.
3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement To Provide Information.
4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officer, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignment, personnel records, record books, manifests, logs, scrapbooks, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.

5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1990) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115B.02, subdivision 5 (1990) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch landfill, storage container, motor vehicle, rolling stock, or aircraft;

-3-

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substances," as defined in Minnesota Statutes, Section 115B.02, subdivision 8 (1990), means:

(a) Any commercial chemical designated pursuant to the federal Air Pollution Control Act, under United States Code, title 33, section 1321(b)(2)(A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United State Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas a natural gas, not does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "Hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1990) means:

(a) Any hazardous waste as defined in section 116.06, subdivision 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

(b) Any hazardous waste as defined in the Resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42, section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1990) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1990) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water

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resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under section 402 of the Federal Waste Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1990) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailing Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of empties pesticide containers or residues from a pesticide as defined in section 18A.21, subdivision 25.